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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 23rd March, 2010/Chaitra 2, 1932 (Saka)

THE DAMAN AND DIU CIVIL COURTS (AMENDMENT) REGULATION, 2010

No. 1 OF 2010

Promulgated by the President in the Sixty-first Year of the Republic of India.

A Regulation further to amend the Goa, Daman and Diu Civil Courts Act, 1965 as in force in the Union territory of Daman and Diu.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

1. (1) This Regulation may be called the Daman and Diu Civil Courts (Amendment) Regulation, 2010.

Short title and commencement.

(2) It shall come into force at once.

16 of 1965.

2. In the Goa, Daman and Diu Civil Courts Act, 1965, as in force in the Union territory of Daman and Diu, (hereinafter referred to as the principal Act), in section 2, after clause (d), the following proviso shall be inserted, namely:—

Amendment of section 2.

'Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of clauses (a), (c) and (d), in relation to Daman and Diu, shall have effect as if for the words "Goa, Daman and Diu", the words "Daman and Diu" had been substituted.'

Amendment of section 4.

3. In section 4 of the principal Act, the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this section shall have effect in relation to Daman and Diu as if for the word “Panjim”, the words “Daman and Diu” had been substituted.’.

Amendment of section 7.

4. In section 7 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words, “The District Judge shall have general control”, the words “Subject to the control of the High Court, the District Judge shall have general control” had been substituted.’.

Insertion of new section 14A.

5. After section 14 of the principal Act, the following section shall be inserted, namely:—

“14A. Nothing contained in sections 10, 11, 12, 13 and 14 shall, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, apply to Daman and Diu.”.

Sections 10, 11, 12, 13 and 14 not to apply to Daman and Diu.

Amendment of section 20.

6. In section 20 of the principal Act,—

(i) in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judges and Junior Civil Judges”, the words and brackets “Civil Judges (Senior Division) and Civil Judges (Junior Division)” had been substituted.’;

(ii) in sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” had been substituted.’;

(iii) in sub-section (3), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that nothing contained in sub-section (3), on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, shall apply to Daman and Diu.”;

(iv) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) On and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the jurisdiction of a Civil Judge (Junior Division), in relation to Daman and Diu, extends to all original suits and proceedings of a civil nature wherein the subject matter does not exceed in amount or value one lakh rupees.”.

Amendment of section 21.

7. In section 21 of the principal Act,—

(i) in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section,

in relation to Daman and Diu, shall have effect as if for the words “Senior or Junior”, the words “Senior Division or Junior Division” had been substituted.’;

(ii) in sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if—

(a) for the words “Senior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” had been substituted;

(b) for the words “Junior Civil Judge”, occurring at both the places, the words and brackets “Civil Judge (Junior Division)” had been substituted.’.

8. In section 22 of the principal Act, the following proviso shall be inserted, namely:—

Amendment of section 22.

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this section, in relation to Daman and Diu, shall have effect as if for the words “twenty-five thousand rupees”, the words “one lakh rupees” had been substituted.’.

9. In section 23 of the principal Act,—

Amendment of section 23.

(i) in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge” and “Junior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” and “Civil Judge (Junior Division)” had respectively been substituted.’;

(ii) in sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” had been substituted.’;

(iii) in sub-section (3), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge”, at both the places where they occur, the words and brackets “Civil Judge (Senior Division)” had been substituted.’.

10. In section 24 of the principal Act,—

Amendment of section 24.

(i) in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge one thousand and five hundred rupees and in the case of Junior Civil Judge five hundred rupees”, the words and brackets “Civil Judge (Senior Division) three thousand rupees and in the case of Civil Judge (Junior Division) one thousand five hundred rupees” had been substituted.’;

(ii) in sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge” and “Junior Civil Judge”, occurring at both the places, the words and brackets “Civil Judge (Senior Division)” and “Civil Judge (Junior Division)” had respectively been substituted.’.

Amendment of section 25. **11.** In section 25 of the principal Act, after sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “ten thousand rupees”, the words “one lakh rupees” had been substituted.’.

Amendment of section 26. **12.** In section 26 of the principal Act, after the proviso, the following proviso shall be inserted, namely:—

‘Provided further that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” had been substituted.’.

Amendment of section 27. **13.** In section 27 of the principal Act, after sub-section (2), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if for the words “District Judge and Assistant Judge”, the words “District Judge” had been substituted.’.

Amendment of section 28. **14.** In section 28 of the principal Act, in sub-section (1), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this sub-section, in relation to Daman and Diu, shall have effect as if—

(a) for the words “the Senior-most Assistant Judge if any or the Senior-most Civil Judge”, the words “Senior-most Civil Judge” had been substituted;

(b) for the words “Assistant Judge or Civil Judge”, the words “Civil Judge” had been substituted.’.

Amendment of section 29. **15.** Section 29 of the principal Act, the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this section, in relation to the Daman and Diu, shall have effect as if—

(a) for the words “the Assistant Judge, or in the absence of an Assistant Judge to a Civil Judge”, the words “to a Civil Judge” had been substituted;

(b) for the words “Assistant or Civil Judge”, the words “Civil Judge” had been substituted.’.

16. In section 33 of the principal Act, the following proviso shall be inserted, namely:—

Amendment of section 33.

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this section, in relation to Daman and Diu, shall have effect as if for the words, figures and brackets “notified by the High Court under section 21 of the Goa, Daman and Diu (Judicial Commissioner’s Court) Regulation, 1963”, the words “notified by the High Court” had been substituted.’;

Reg. 10 of 1963.

17. In section 34 of the principal Act, in sub-section (2),—

Amendment of section 34.

(i) in clause (b), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this clause, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge”, the words and brackets “Civil Judge (Senior Division)” had been substituted;’;

(ii) in clause (c), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this clause, in relation to Daman and Diu, shall have effect as if for the words “Junior Civil Judge”, the words and brackets “Civil Judge (Junior Division)” had been substituted;’;

(iii) in clause (d), the following proviso shall be inserted, namely:—

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this clause, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge or Junior Civil Judge”, the words “Civil Judge (Senior Division) or Civil Judge (Junior Division)” had been substituted.’.

18. In section 35 of the principal Act, the following proviso shall be inserted, namely:—

Amendment of section 35.

‘Provided that, on and from the commencement of the Daman and Diu Civil Courts (Amendment) Regulation, 2010, the provisions of this section, in relation to Daman and Diu, shall have effect as if for the words “Senior Civil Judge and the court of Junior Civil Judge”, the words and brackets “Civil Judge (Senior Division) and the court of Civil Judge (Junior Division)” had been substituted.’.

PRATIBHA DEVISINGH PATIL,
President.

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V. K. BHASIN,
Secy. to the Govt. of India.